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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David H. Davies et al.  
Assignee: DataPlay, Inc.  
Title: First-Side Dual-Layer Optical Data Storage Disk And Method Of Manufacturing The Same  
Application No.: 09/764,042 Filing Date: January 16, 2001  
Examiner: Unknown Group Art Unit: 2651  
Docket No.: M-9998 US

**RECEIVED**

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COMMISSIONER FOR PATENTS  
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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(e) WITH CERTIFICATION UNDER 37 C.F.R. §§ 1.97(e)(1) and 1.704 (d)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicant wishes to call the following documents (copies enclosed) to the attention of the Examiner for the above-identified patent application. The documents were first cited in the Notification of Transmittal of the International Search Report or the Declaration for the corresponding foreign PCT Application No. PCT/US 02/00828 filed January 9, 2002.

A form PTO-1449 listing these documents is enclosed.

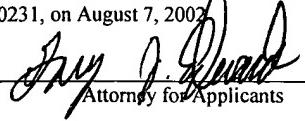
Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

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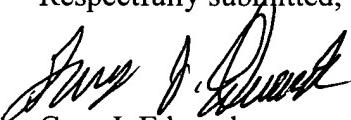
The undersigned hereby certifies in accordance with §§ 1.97(e)(1) and 1.704(d) that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement and this communication was not received by any individual designated in § 1.56(c) more than 30 days prior to the filing of this information disclosure statement.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 7, 2002.

  
Gary J. Edwards  
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8/7/02  
Date of Signature

Respectfully submitted,



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